

IP12 Rec'd PCT/PTO 07 JAN 2008

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Toshiro OMORI et al.**

Group Art Unit: **1655**

Application Number: **10/511,725** ✓



Examiner: **Amy Lynn CLARK**

Filed: **October 19, 2004**

Confirmation Number: **2520**

For: COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE AND HAVING ACTIVITY OF INHIBITING ONSET OF ALCOHOLIC HEPATOPATHY AND ACTIVITY OF HEALING IT AS WELL AS EXCELLENT PALATABILITY, AND PROCESS FOR PRODUCING THE SAME

Attorney Docket Number: **042872**

Customer Number: **38834**

AMENDMENT TRANSMITTAL

Mail Stop Amendment
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

January 7, 2008

Sir:

Transmitted herewith is an Amendment in the above-identified application. The fee has been calculated as shown below.

	CLAIMS REMAINING AFTER AMENDMENT		HIGHEST NUMBER PREVIOUSLY PAID FOR	PRESENT EXTRA
Total (37 CFR 1.16(c))	31	Minus	29	= 2
Independent (37 CFR 1.16(b))	6	Minus	6	= 0
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM (37 CFR 1.16(d))				

SMALL ENTITY		OR	OTHER THAN SMALL ENTITY	
RATE	ADDI- TIONAL FEE		RATE	ADDI- TIONAL FEE
X \$25		OR	X\$50	\$100.00
X \$105		OR	X\$210	.00
+ \$185		OR	+ \$370	.00
TOTAL ADD'L FEE			TOTAL ADD'L FEE	\$100.00

☒ Enclosed please find our check in the amount of \$100.00 for the additional claims fee in connection with this Amendment.

☒ The Commissioner is hereby authorized to charge payment for any additional fees associated with this communication or credit any overpayment to Deposit Account No. 50-2866.

Respectfully submitted,

WESTERMAN, HATTORI, DANIELS & ADRIAN, LLP

Lee C. Wright

Lee C. Wright

Attorney for Applicants

Registration No. 41,441

Telephone: (202) 822-1100

Facsimile: (202) 822-1111

01/10/2008 MXAYPAGH 00000085 10511725

01 FC:1615

100.00 OP

LCW/MJC/af



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of: **Toshiro OMORI et al.**

Group Art Unit: **1655**

Application Number: **10/511,725**

Examiner: **Amy Lynn CLARK**

Filed: **October 19, 2004**

Confirmation Number: **2520**

For: **COMPOSITION OBTAINED FROM BARLEY SHOCHU STILLAGE AND
HAVING ACTIVITY OF INHIBITING ONSET OF ALCOHOLIC
HEPATOPATHY AND ACTIVITY OF HEALING IT AS WELL AS
EXCELLENT PALATABILITY, AND PROCESS FOR PRODUCING THE SAME**

Attorney Docket Number: **042872**

Customer Number: **38834**

SUPPLEMENTAL AMENDMENT
FOLLOWING SUSPENSION OF ACTION UNDER 37 C.F.R. §1.103(c)

Mail Stop AMENDMENT
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

January 7, 2008

Sir:

This Amendment is Supplementary to the Request for Suspension of Action under 37 C.F.R. §1.103(c) filed together with the RCE and Amendment under 37 C.F.R. § 1.114 filed July 2, 2007. This Amendment is also Supplementary to the Response to Election of Species Requirement and Restriction Requirement filed December 20, 2007.

Filed concurrently herewith is a Declaration Under 37 C.F.R. §1.132.

Also concurrently filed is an Amendment Transmittal to pay for two "excess" claims.

Amendments to the Claims begin on page 2 of this paper.

Remarks/Arguments begin on page 8 of this paper.